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MEMORANDUM FOR: Chief, Personnel Procurement Division

FROM: Chief, Benefits and Casualty Division

SUBJECT: Travel By a Recruiter in Privately Owned Airplane

REFERENCE: Your memo, Same Subject, dated 6 August 1956

1. Reference memo states that the Executive Office of the President through Circular A-7 authorizes the Government travel by private plane with reimbursement at ten cents a mile. Reference memo also raises specific questions concerning the effect of such travel upon insurance and other benefits administered by this Division. Inasmuch as Circular A-7 is not available to this Office and would not seem to be material to our considerations, the answers provided in this memorandum assume that the authority for such travel is provided as stated in the Reference.

2. We shall attempt to answer the questions in the order in which they are presented in your paragraph 3:

a. It is assumed that your concern relates primarily to GENA life insurance policies. The effect of such travel upon privately purchased insurance policies could be determined by a review of those policies by our insurance personnel.

(1) The double indemnity provisions of the WAEPA and UBLIC policies would be voided, while the individual was piloting an aircraft or otherwise flying as a crew member. The face amount of the policies would continue in effect.

(2) There would be no coverage under the Air Flight or Travel-Matic policies during such travel. (Air Flight coverage applies only to flights on regularly-scheduled commercial or MATS flights. Travel-Matic coverage applies only to travel by common carrier.)

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(3) Travel in a privately owned plane, piloted by the insured, would not affect either the double indemnity or face amounts of FEGLI insurance coverage.

b. GEHA hospitalization policies would not be affected by such air travel.

c. So long as the recruiter is authorized to travel by privately-owned aircraft and is in the performance of his duties, he would be covered by the workmen's compensation benefits of the Federal Employees' Compensation Act. (FECA)


d. While this Division has no official association with questions concerning possible liabilities under the Tort Claims Act, except as they relate to FECA cases, it is our opinion that there would be no more liability on the part of the Government from air travel than by privately-owned automobile. In such instances the owner of the vehicle concerned must act as in his individual capacity in defending or pursuing any action for restitution for damages. In addition, any criminal charges preferred would also be against the individual in his personal capacity. (The fact that the Government may reimburse the employee for such travel in a private vehicle in the course of his employment does not confer liability upon the Government for any acts committed by the individual. We have discussed this Tort Claims area very informally with OGC, and suggest that, if a specific decision is desired, the matter be referred to OGC on a formal basis for their review.)

3. If any other questions occur to you in connection with this case or other cases, we will be happy to discuss them with you.


Chief, Benefits and Casualty Division

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